

AO 91 (Rev. 11/11) Criminal Complaint

Felony

UNITED STATES DISTRICT COURT

for the
Southern District of Texas

Southern District of Texas

MAY 05 2016

David J. Bradley, Clerk of Court

United States of America)

V.)

Gerardo Omar FRANCO-De La Cruz)

Defendant(s))

Case No. B-16-MJ-450

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 4, 2016 in the county of Cameron in the Southern District of Texas, the defendant(s) violated:

Code Section

Title 21 USC 841 and 846

Offense Description

Knowingly and intentionally possess with intent to distribute approximately 119.1 kilograms of marijuana, a Schedule 1 controlled substance and; Conspiracy to possess with intent to distribute the same approximate 119.1 kilograms of marijuana.

This criminal complaint is based on these facts:

See attached page.



Continued on the attached sheet.



Complainant's Signature

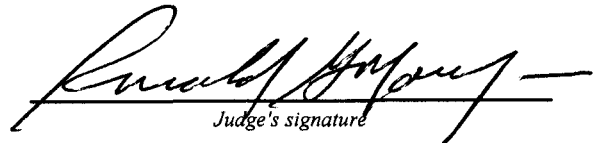
Michael Cadriel Special Agent

Printed name and title

Sworn to before me and signed in my presence.

May 5, 2016
DateBrownsville, Texas

City and State



Judge's signature

Ronald Morgan U.S. Magistrate Judge

Printed name and title

Criminal Complaint

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Continuation Page

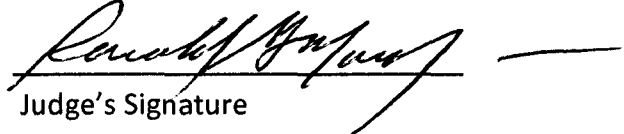
On May 4, 2016 at approximately 1:00 p.m., U.S. Border Patrol Agents from the Olmito, Texas Station observed a Gray in color Ford Expedition driving southbound on Palm Blvd. towards the Rio Grande River at a high rate of speed. Shortly thereafter, Agents observed the same Ford Expedition driving back northbound at a high rate of speed on Palm Blvd. towards Mexico Blvd. U.S. Border Patrol Agents began to follow the vehicle towards Mexico Blvd. when the driver of the Ford Expedition made a quick right turn and jumped over a sidewalk and came to a stop on the median on Mexico Blvd. U.S. Border Patrol Agents observed the driver of the Ford Expedition exit the vehicle and start running southbound away from the U.S. Border Patrol Units. Field Agents gave chase of the driver, never losing sight of the individual, and apprehended the driver of the Ford Expedition. A K-9 Unit arrived at the scene and conducted a free air sniff around the vehicle which resulted in a positive alert for narcotics. A search of the vehicle resulted in the seizure of 11 bundles of suspected marijuana. The marijuana was field tested with positive results for marijuana and had a combined weight of 119.1 Kgs/261.8 lbs of marijuana. The driver was identified as Gerardo Omar FRANCO-De La Cruz and was found to be in the country illegally. Gerardo Omar FRANCO-De La Cruz was read his Miranda Warnings in Spanish and stated that he understood his rights and was willing to cooperate with the investigation. Gerardo Omar FRANCO-De La Cruz informed U.S. Border Agent Mike Cadriel and DEA TFO Joe Villarreal that he was indeed the driver of the Gray Ford Expedition seized with the bundles of marijuana.



Complainant's Signature

Michael Cadriel Special Agent

Print Name and Title



Judge's Signature

Ronald G. Morgan U.S. Magistrate Judge

Print Name and Title

May 5, 2016
Date